

BILL ANALYSIS

Senate Research Center

H.B. 253
By: Denny (Wentworth)
Criminal Justice
5-9-97
Engrossed

DIGEST

Currently, Article 2.122 of the Code of Criminal Procedure recognizes certain United States agents as criminal investigators with the powers of arrest and search and seizure, but only for offenses deemed to be felonies under the laws of the State of Texas. Marshals and deputy marshals of the U.S. Marshals Service do not have this power, and must contact the sheriff's department or other local law enforcement agencies to make the arrest and/or search and seizure. H.B. 253 allows marshals and deputy marshals of the U.S. Marshals Service to be named to the list of criminal investigators that have the powers of arrest and search and seizure for felony offenses under the laws of the State of Texas.

PURPOSE

As proposed, H.B. 253 provides for granting limited state law enforcement authority to marshals and deputy marshals of the U.S. Marshals Service.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 2.122(a), Code of Criminal Procedure, to prohibit marshals and deputy marshals of the U.S. Marshals Service from being deemed peace officers, but requires them to have the powers of arrest, search and seizure as to felony offenses only under the laws of the State of Texas.

SECTION 2. Emergency clause.
Effective date: upon passage.